

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION**

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**MINUTES**  
**Residential Care Facility – Ad-Hoc Committee**  
**Friday, February 15, 2008**  
Office of the State Fire Marshal, Sacramento, California

**PRESENT:**

Ernie Paez, Office of the State Fire Marshal (SFM)  
Joe Garcia, Chair, Tulare County Fire Department  
Greg Lake, Sacramento Metropolitan Fire Department  
Richard Friend, Friend's Home Care  
Heather Harrison, California Assisted Living  
Denise Johnson, CRCAC  
Lynn Anderson, Department of Social Services (DSS-CCLD)  
Doug Pancake, Irwin Pancake Architects  
Walter Brandes, Riverside County F.D. (Public)

**ABSENT:**

Tom Stahl (DSS-CCLD)

**I. CALL TO ORDER**

Joe Garcia, Chair, called the meeting to order at **1000** hours at the Office of the State Fire Marshal (OSFM) Headquarters, 1131 S Street, Sacramento, California.

**II. INTRODUCTIONS**

Each of the attendees knew each other. However, they did introduce themselves to Lynn Anderson who was sitting in for Tom Stahl.

**III. PURPOSE OF AD-HOC GROUP**

Joe Garcia described the **Goal** of the ad-hoc committee as being: To review and evaluate current regulations pertaining to residential care facilities, validate those that must remain, identify those that need revision, amendment or deletion and to present findings to the SFM RCF Committee for their consideration.

Joe Garcia also described the **objectives** of the ad-hoc group as being:

1. Identify those regulations that derive from statutory language and those that while having statutory roots, are regulatory in nature.
2. Review and discuss the Group 1-1 occupancies first, Group R-4 second and Group R3.1 occupancies last.
3. Internally evaluate each section that requires further consideration.
4. Make decision on each section discussed and create intent and resolution (i.e., leave it alone, create proposed revision, formulate valid reason for deletion of section from code, or bring it up to SFM RCF Committee for further guidance).

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5. Present findings to RCF Committee.

**IV. GROUP PRIORITIES:**

Joe Garcia discussed the priorities that the group would consider in their review and discussion of code issues. They are as follows:

1. Consider fire and life safety for clients above all.
2. Must not be so restrictive as to prohibit the facilities from being successful as a business.
3. Consider all aspect in the group recommendations.

**V. GENERAL DISCUSSION:**

As per the recommendation of the RCF Committee, the group began by discussing Richard Friend's inquiry to the RCF Committee dated August 13, 2007 in which he seeks clarification relative to the SFM Code Interpretation that requires a door at the mouth of the hallway when exiting through a hallway in non-ambulatory facilities that house six or less. Further, the group also discussed Mr. Friend's opinion that a path of exit passing through a common living area is allowed for non-ambulatory rooms and meets the criteria of 2007 CBC, Section 425.8.3.2, Item #2 which reads, "Egress through a hallway which has an exit directly to the exterior". Also discussed was the issue of specific code applications when a small facility housing a single bedridden client wants to increase their bedridden capacity beyond the single bedridden client. These three topics occupied the rest of the day. The discussions and resolutions were as follows: **Goals**

Review and evaluate current regulations pertaining to residential care facilities. Validate those that must remain, and identify those that need revision, amendment or deletion and present findings to SFM RCF Committee for their consideration.

1. **Hallway door at the mouth of the hallway in non-ambulatory facilities** – Joe Garcia gave a historical perspective relative to this issue. Mr. Friend does not contest this issue in the 2007 Building Code as it is codified. He contested the SFM interpretation as it was not codified, and he felt that it was not being properly applied by the fire service and therefore had a significant economic impact on residential care providers. Ernie Paez explained that the RCF Committee had deal with this issue by rescinding the earlier code interpretation that required the door at the mouth of the hallway. Joe Garcia then clarified that a facility that was licensed under the 2001 codes would remain subject to the 2001 codes, and not the 2007 codes, unless the facility changed their occupancy classification by increasing their capacity to more than six clients. He went on to say that since the SFM code interpretation had been rescinded, the requirement for the door at the mouth of the hallway would only be applicable to small facilities that are licensed after January 1, 2008. Mr. Friend agreed, and this issue has been resolved to his satisfaction.
2. **Existing facilities housing a single bedridden or no bedridden clients and increasing their bedridden capacity** - There was much discussion on this issue and it was agreed that once a facility exceeds the one bedridden, the sprinkler requirements apply and the requirements of Section 415-A, 2001 CBC, no longer apply. The group drafted the following scenarios for Clarification:
  - a. Facilities housing six non-ambulatory clients and wanting to go to six bedridden = Must provide sprinkler protection. An NFPA 13-D system is adequate.
  - b. Facilities housing six ambulatory clients wanting to go to six bedridden = Must provide sprinkler protection as well as provide one of the four exit access criteria as outlined in 2007 CBC, Section 425.8.3.2., excluding the door at the mouth of the hallway if using the hallway as an exit access.
  - c. Facilities with mixed capacity (i.e. ambs and non-ambs) wanting to go to six bedridden = Must provide sprinkler protection as well as provide one of the four exit access criteria as outlined in 2007 CBC, Section 425.8.3.2., excluding the door at the mouth of the hallway if using the hallway as an exit access.

- d. Facilities wanting to end up with less than six bedridden (ie, 4 bedridden and 2 amb)= Must provide sprinkler protection as well as provide one of the four exit access criteria as outlined in 2007 CBC, Section 425.8.3.2., for the bedrooms housing the bedridden, excluding the door at the mouth of the hallway if using the hallway as an exit access. No special exiting requirements required for the bedrooms housing the ambulatory clients.
  - e. Facilities wanting to end up with less than six bedridden (i.e., 4 bedridden and 2 non-amb)= Must provide sprinkler protection as well as provide one of the four exit access criteria as outlined in 2007 CBC, Section 425.8.3.2., excluding the door at the mouth of the hallway if using the hallway as an exit access.
3. **New small facilities licensed after January 1, 2008** – It was agreed that new small (6 or less) facilities housing 1 bedridden client do not have to provide sprinklers but do have to comply with 2007 CBC, Section 425.8.3.3 (Old 415-A) as well as provide one of the four exit access criteria for non-ambulatory and the bedridden client including the door at the mouth of the hallway if using the hallway as an exit access.
4. **New small facilities licensed after January 1, 2008** - wanting to have more than 1 bedridden client must provide sprinkler protection as well as provide one of the four exit access criteria as outlined in 2007 CBC, Section 425.8.3.2., including the door at the mouth of the hallway if using the hallway as an exit access. Section 425.8.3.3 (Old 415-A) does not apply.
5. It was also agreed that Joe Garcia will encapsulate the above conditions in the form of a code interpretation to be submitted to the RCF Committee and ultimately become an official SFM Code Interpretation for purposes of clarification to the fire service and other users of the code.
6. The group discussed the order of reviewing the residential care facility occupancy requirements and agreed to review the Group I-1's first and get them out of the way as they have only a couple of discussion points. They would then do the R-4's as those came over pretty well intact. The R-3.1's will be last as they will take up quite a bit of time due to greater number of changes and points of discussion.
7. Further, the group had a lengthy discussion relative to Mr. Friend's opinion that a path of exit passing through a common living area is allowed for non-ambulatory rooms and meets the criteria of 2007 CBC, Section 425.8.3.2, Item #2 which reads, "Egress through a hallway which has an exit directly to the exterior". Joe Garcia expressed the opinion that in regards to Item #2, the text is correct in that the original intent was for the hallway to exit directly to the exterior rather than into common living areas within the facility which have exits to the exterior. He stated that if condition #2 allowed for achieving an exit from the hallway to the exterior through a common living area, then a facility that wanted to go from six ambulatory clients to six non-ambulatory clients could choose option #2 and not have to do anything else in regards to the non-ambulatory exiting since the code only requires a provider to choose one of the four options. He disagrees with Mr. Friend on this issue. Other committee members discussed the merits of Section 425.8.3.2 in that it sets forth specific requirements which apply to the exiting of non-ambulatory clients and have no direct connection to general code language which speaks to exiting through adjoining areas, intervening rooms, common areas, etc. Since Mr. Friend would not change his opinion, a vote was taken with all group members agreeing that the text of Item #2 of Section 425.8.3.2 is correct. This recommendation will be submitted to the RCF Committee at their next meeting.

VI. **SET MEETING DATE(S)**

The date for the next meeting was set to be held on March 12<sup>th</sup>. However, Joe Garcia has realized that he will be in Buellton on that day for the FPO's Workshop. Consequently, he will touch bases with all group members and establish an alternate date. Once the date is established, the next meeting will be held at the Office of the State Fire Marshal located at 1131 S Street, Sacramento.

**VII.     MEETING ADJOURNMENT**  
Meeting adjourned at 1445 hours.

**Meeting Minutes Prepared by:**  
**Joe Garcia, Chair**  
**SFM RCF Ad-Hoc Committee**